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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/726,043	12/01/2003	Chuan De Huang		2658

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EXAMINER

NGUYEN, SANG H

ART UNIT      PAPER NUMBER

2877

DATE MAILED: 11/22/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/726,043	<b>Applicant(s)</b> HUANG, CHUAN DE	
	<b>Examiner</b> Sang Nguyen	<b>Art Unit</b> 2877	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 27 October 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 2-8 and 10-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-8 and 10-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Allowable Subject Matter***

The indicated allowability of claims 6 and 14 are withdrawn in view of the newly discovered reference(s) to Suga (U.S. Patent No. 6,827,458). Rejections based on the newly cited reference(s) follow.

### ***Response to Amendment***

Applicant's response to amendment filed on 10/27/06 has been entered. It is noted that the application contains claims 2-8 and 10-17 and claims 1, 9, and 18-19 have been canceled by the amendment on 10/27/06.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

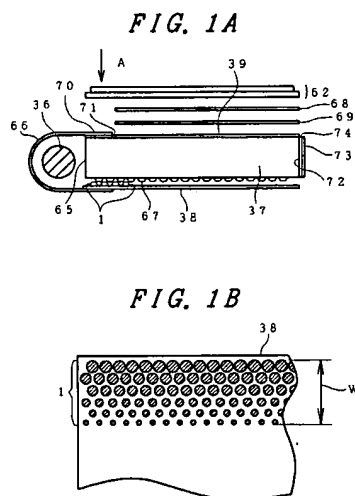
1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

**Claims 2, 6-7, 10, and 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mashino et al (U.S. Patent No. 5,886,759) in view of Fukuda et al (U.S. Patent No. 5,898,166) and Suga (U.S. Patent No. 6,827,458).**

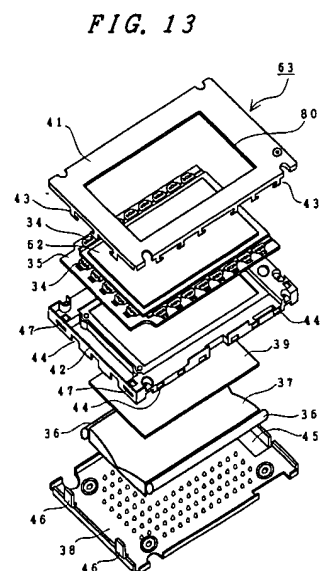
**Regarding claims 6 and 14;** Mashino et al discloses a method and combination, comprising:

a liquid crystal display device (figure 1) having a light guide plate (37 of figure 1) defining a plurality of dots (67 of figure 1) on one surface of the light guide plate (37 of figure 1) and a location device considered to be a reflective sheet (38 of figure 1) defining a plurality of reference points considered to be a plurality of color gray dots (1 of figure 1 or figure 13) marked thereon and position opposite to the surface of said light guide plate (37 of figure 1). See figures 1-18.

U.S. Patent Mar. 23, 1999 Sheet 1 of 11 5,886,759

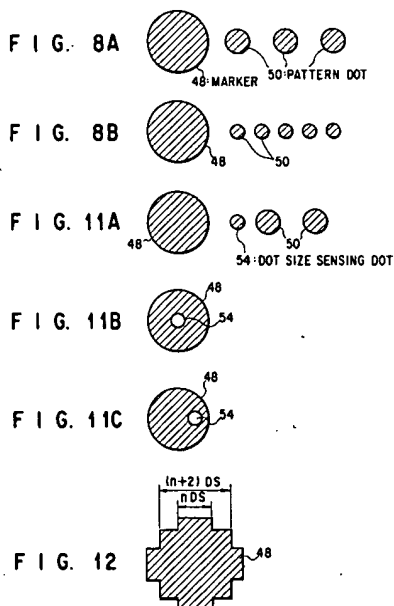


U.S. Patent Mar. 23, 1999 Sheet 8 of 11 5,886,759

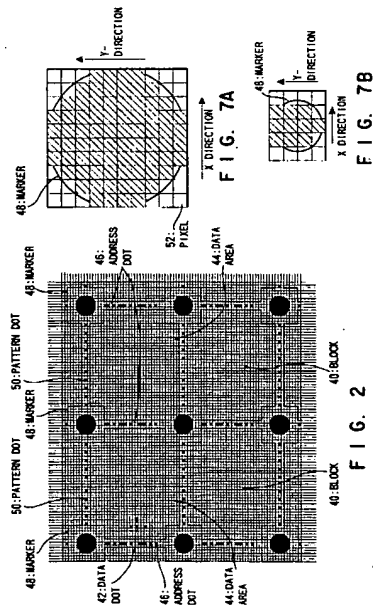


Mashino et al discloses all of features of claimed invention except for a measurement instrument for measuring gauges distance among the dots with reference to the reference points or gauging distances between the dots. However, Fukuda et al teaches that it is known in the art to provide a measurement instrument (figures 10-15) for measuring gauges distance among the dots (50 of figure 2) with reference to the reference points considered to be marker or gauging distances between the dots (48 of figure 2 and col.4 lines 55-61, col.8 lines 1-20, col.15 line 24 to col.16 line12), and col.23 lines 12-20). See figures 1-22.

U.S. Patent Apr. 27, 1999 Sheet 6 of 14 5,898,166



U.S. Patent Apr. 27, 1999 Sheet 2 of 14 5,898,166

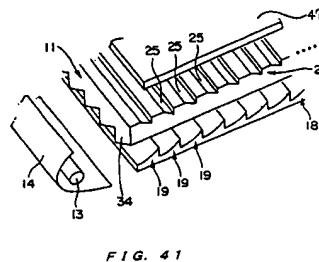
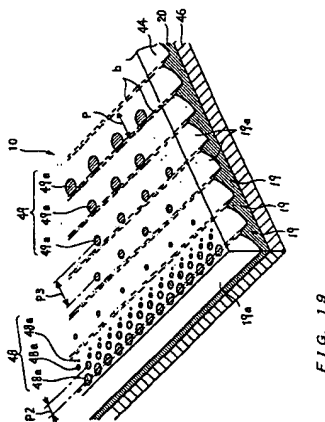


Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine method and combination of Mashino et al with a measurement instrument for measuring gauges distance among the dots with

Art Unit: 2877

reference to the reference points or gauging distances between the dots as taught by Fukuda et al for the purpose of narrowing the search range not only shorten the searching time, but also reduces the number of faulty marker sensed in the range due to dust or noise.

Mashino et al discloses all of features of claimed invention except for a distribution density of the reference points is lower than a distribution density of the pattern-dots. However, Suga teaches that it is known in the art to provide the light guide plate (11 of figures 1, 18, and 44-45) having a plurality of dots (6a, 6b, 6c of figure 44) or a multiple protracting portions (8a, 8b, 8c of figure 45) and the sheet (18 of figures 1, 18-19, or 7 of figure 44-45) having a plurality of dots or points (48, 49 of figure 19), wherein a distribution density of the reference points is lower than a distribution density of the pattern-dots (col.24 line 33 to col.25 line 17 and col.32 lines 31-50). See figures 1-45.



Art Unit: 2877

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine method and combination of Mashino et al with a distribution density of the reference points is lower than a distribution density of the pattern-dots as taught by Suga for the purpose of controlling light to achieve effective utilization of light in an illumination system for using a backlight optical system of a liquid crystal display device.

**Regarding claims 2, 7, 10, and 15;** Mashino et al discloses the reference points are marked in a regular array considered to be a plurality of color gray dots (1 of figure 1 or figure 13).

**Claims 3-5 and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mashino et al, Fukuda et al, and Suga ('458) as applied to claims 6 and 10, and 14 above, and further in view of Suga et al (U.S. Patent No. 6,425,673).**

**Regarding claims 3-5 and 11-13;** Mashino et al, Fukuda et al, and Suga discloses all of features of claimed invention except for the sheet comprise a plastic, a polyester, or polyethylene terephthalate. However, Suga et al ('673) teaches that it is known in the art to provide the sheet comprise a plastic, a polyester, or polyethylene terephthalate (col.7 lines 28-34, col.12 lines 35-40, col.15 line 64-col.16 line 5). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine method and combination of Mashino et al with the sheet comprise a plastic, a polyester, or polyethylene terephthalate as taught Suga et al ('673) for the

Art Unit: 2877

purpose of controlling or adjusting light emitted and returned accurately with high reflectivity at its surface.

**Claims 8 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mashino et al, Fukuda et al, and Suga as applied to claims 6 and 14 above, and further in view of Ide et al (U.S. Patent No. 6,865,325).**

**Regarding claims 8 and 16;** Mashino, Fukuda et al, and Suga discloses all of features of claimed invention except for the reference points are marked with numbers. However, Ide et al teaches that it is known in the art to provide the reference points are marked with numbers (figure 4A-4C). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine method and combination of Mashino et al with he reference points are marked with numbers as taught Ide et al for the purpose of improving discrete pattern with number with high quality image.

**Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mashino et al, Fukuda et al, and Suga as applied to claim 14 above, and further in view of Samworth (U.S. Patent No. 6,310,698).**

**Regarding claim 17;** Mashino et al, Fukuda et al, and Suga discloses all of features of claimed invention except for the measuring instrument is a microscope. However, Samworth teaches that it is known in the art to provide the measuring instrument is a microscope(col.6 lines 40-52). It would have been obvious to one having ordinary skill in the art at the time the invention was made to combine method and



Art Unit: 2877

combination of Mashino et al with the measuring instrument is a microscope as taught Samworth for the purpose of achieving the calibration of image reproducing system using the linear change in the dots forming different values of the gray scale in a haftone system (col.8 lines 20-23).

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Ohkawa (6412968) discloses surface light source device of side light type.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sang Nguyen whose telephone number is (571) 272-2425. The examiner can normally be reached on 9:30 am to 7:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory J. Toatley, Jr. can be reached on (571) 272-2800 ext. 77. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic

Art Unit: 2877

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 18, 2006

  
Sang H. Nguyen  
Patent Examiner  
Art Unit 2877